

### **REMARKS**

Applicant notes with appreciation the well-reasoned Office Action of Paper 20041110. This amendment is submitted in response thereto. By way of this amendment claims 1, 5, 6, 11 and 20 has been amended; and claim 2 has been canceled. Support for the amendment to claim 1 is found in original claim 2 and within the specification at page 6, lines 12-15. As such, it is submitted that no new matter has been added to the application by way of this amendment.

Claims 1, 3, 6-11 and 20 currently stand rejected under 35 U.S.C. §102(e) as being anticipated by Osawa et al. (U.S. 6,764,373). Claims 4 and 11-18 stand rejected under 35 U.S.C. §103(a) over Osawa et al. in view of Chen et al. (US 2002/0063550). Claim 5 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Osawa et al. in view of Miller et al. (U.S. 5,818,197). Lastly, claim 19 stands rejected under 35 U.S.C. §103(a) over Osawa et al. in view of Matsuda (U.S. 5,506,749).

#### **Remarks Directed to Rejection of Claims 1, 3, 6-11 and 20 Under 35 U.S.C. §102(e) as Anticipated by Osawa et al.**

Anticipation has always been held to require that all of the claim elements be found within a single reference and in the relationship prescribed by the claim.

While Osawa et al. teaches a robot that docks with a charging station and begins to move after reaching a predetermined charge quantity, Applicant submits that Osawa et al. fails to disclose an electronic circuit for “communicating information to a user independent of charge status prior to the battery attaining the preselected charge status” as required by claim 1 in amended form. As the current specification makes clear, providing a user with an entertainment value as generated by the electronic circuit communicating information to the user, a user is

motivated to recharge batteries and therefore cut down on the use of disposable batteries to power various electronic devices.

The teaching provided in Osawa et al. at column 18, lines 38-52 details the charging procedure yet is silent as to this claim aspect.

On the basis of the above amendments and remarks, it is submitted that claim 1 and those claims that depend therefrom are now believed to be patentably distinct over the prior art of record.

With regard to claim 6, it is submitted that the Markush groups as to the type of information conveyed to a user independent of charge status and prior to the battery attaining the preselected charge status is nowhere taught in Osawa et al. Rather, Osawa et al. details at column 3, line 66 – column 4, line 65 information about charge status or information based on various carrier waves that is exchanged between the charging station and the mobile robot and not to the user. As such, this is believed to represent an independent basis for the allowability of the subject matter of claim 6.

With regard to claim 20, a process is recited that includes placing a rechargeable battery into a device according to claim 1 for a charging duration . . . and removing the battery after the charging duration. In view of the believed allowability as to the subject matter of claim 1 and the notion that the mobile robot of Osawa does not contemplate removal of a charged battery from the robot after attaining charge, it is submitted that claim 20 is also novel and not anticipated by Osawa et al.

Reconsideration and withdrawal of the rejection as to claims 1, 3, 6-11 and 20 under 35 U.S.C. §102(e) over Osawa et al. is requested.

**Remarks Directed to Rejection of Claims 4 and 11-18 Under  
35 U.S.C. §103(a) Over Osawa et al. in View of Chen et al.**

Claims 4 and 11 are believed to be patentable as a result of being dependent upon a base claim now believed to be in allowable form.

With regard to claim 12, Osawa et al. is cited as disclosing all of the claim features with the exception of “a spring compressed by the rechargeable battery being inserted into the receptacle and a spring release triggered by said electronic circuit in response to the charge status of the battery.” (Paper No. 20041110, page 4, section 5). Chen et al. is cited to bolster the teaching of Osawa et al. with respect to Figure 1b, paragraph [0004], that is cited as teaching “a spring (unit 16) compressed by the rechargeable battery being inserted into the receptacle (unit 12); and a spring (unit 16) release triggered by said electronic circuit in response to the charge status of the battery.”

It is the Applicant's position that Chen et al. fails to provide the teaching as characterized in the outstanding Office Action and as such the prior art combination fails to yield the claimed invention. Paragraph [0004] of Chen et al. teaches an adjusting plate 14 connected to a spring 16 such that the relative movement of the adjusting plate 14 allows one to include a battery of varying sizes within the recharging receptacle. Contrary to the cited teaching of Chen et al., spring 16 does not release the battery from the receptacle upon attainment of a certain charge status. Should the Examiner take exception to this reading of Chen et al., it is respectfully requested that the citation within Chen et al. to a spring release being triggered by a battery attaining a certain charge status be provided with greater specificity.

The combination of Osawa et al. and Chen et al. is therefore submitted to teach the inclusion of a retention spring to the system of Osawa et al. but not a spring release triggered in

response to a battery achieving a particular charge status, as required by pending claim 12. On the basis that the pending claims recite limitations nowhere found in the prior art, Applicant requests that these limitations be accorded patentable weight consideration. The prior art reference combination also fails to yield the claimed invention with respect to a spring release on charge status being achieved.

As such, claim 12 and those that depend therefrom are believed to be nonobvious over Osawa et al. in view of Chen et al.

In light of the above remarks, reconsideration and withdrawal of the rejection as to claims 4 and 11-18 under 35 U.S.C. §103(a) over Osawa et al. in view of Chen et al. is requested.

**Remarks Directed to Rejection of Claims 5 and 19 Under 35 U.S.C. §103(a)**

As Applicant believes that independent claims 1 and 12 from which dependent claims 5 and 19 depend, respectively, are now in patentable form, it is submitted that the subject matter of these claims is likewise believed to be patentable. Reconsideration and withdrawal of the rejections as to claim 5 and 19 under 35 U.S.C. §103(a) is requested.

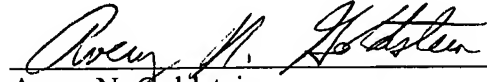
**Summary**

With this amendment claims 1 and 3-20 are pending in the application. Each claim is believed to be in allowable form and directed to patentable subject matter. Reconsideration and withdrawal of the outstanding rejections and the passing of this application to allowance are

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solicited. Should the Examiner find to the contrary, it is respectfully requested to contact the undersigned attorney responsible for this application to resolve any remaining issues.

Respectfully submitted,



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Janice R. Kuehn

**AMENDMENTS TO THE DRAWINGS**

Attached hereto is a replacement Figure 3 that satisfies the requirements of 37 CFR §1.121(d). Acceptance of this drawing is requested.